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SUBJECT: MILITARY PROSECUTOR DISCUSSES HIGH PROFILE CASES

REF: A. KIGALI 687

[B.](#) 05 KIGALI 411

[¶](#)1. (U) Summary. On 19 July poloff met with Major Christophe Bizimungu, Rwandan Defense Force (RDF) Chief Prosecutor, to discuss the status of three high profile cases currently being handled by his office. Bizimungu presented a detailed case against Colonel Patrick Karegeya, former head of the External Intelligence and Security Department, and confirmed that the prosecution had appealed the sentence. Bizimungu provided less information and insight on the trials of Major General Laurent Munyakazi and Major Ben Karenzi as both are currently underway, but he noted that strong cases will be presented by the prosecutor as they proceed. End summary.

Karegeya,s Insubordination

[¶](#)2. (U) Major Bizimungu confirmed that Colonel Patrick Karegeya, former National Security Service Director General of the Department of External Intelligence and Security, is appealing his sentence of loss of rank and 18 months in prison and asking for a complete dismissal of the charges. (Note. Initially, the press reported a sentence of one year, eight months. End note.) The prosecution is asking for a 7 and a half year prison sentence in addition to the demotion from Colonel to civilian.

[¶](#)3. (SBU) Bizimungu, the prosecutor who argued the case, showed poloff some of the documentation that he used in the trial to prove the insubordination and desertion charges and he outlined the timeline of the events. He confirmed that there were no written orders delivered to Karegeya (ref A), but said that testimony, private correspondence and records confirming the cancellation of Karegeya,s official cell phone all prove that verbal orders were given to him by Chief of General Staff James Kabarebe at Kabarebe,s home in Kigali on 11 April. Desertion was added to the charge of insubordination because he did not report for duty for over one month from the date the verbal orders were issued.

Former Commander Tried in Tribunal and Public

[¶](#)4. (U) The trial of former Second Division Commanding General MG Laurent Munyakazi, is continuing in a dramatic and public manner. Munyakazi, charged with 13 counts of Genocide, was judged to be a Category One Genocidaire in a gacaca hearing last year (ref B). (Note. Accused genocidaires are classified into three categories, Category I being the most grievous. End note.) It is alleged that then LtCol Munyakazi, as Commander of the "Groupe Mobile", did not prevent Interahamwe killings, was complicit in the

killings by the soldiers under his command and committed murders himself. Munyakazi does not deny that acts of genocide occurred by Interahamwe and his troops in his area of responsibility, but claims that he was powerless to prevent the killings and denies that he personally took part in any genocide related activities.

¶15. (U) The local press has been following the trial closely and reporting in explicit detail the testimony of survivors accusing Munyakazi of the worst types of genocide crimes.

Expired Drugs, Family Ties and South Korea

¶16. (U) Dr. Ben Karenzi, former Secretary General of the Ministry of Health and an active duty Major in the RDF, was arrested on 23 July and charged with falsifying documents, selling expired drugs, and storing drugs in an unlawful place. His co-defendants include his brother Amos Kamugisha, the Honorary Consul of South Korea to Rwanda and Vedaste Munyankindi, Director of the Pharmacy Department in the Ministry of Health. The men are accused of operating an unlawful pharmaceutical drug business out of Kamugisha's Kigali residence- on the same compound as his South Korean consular office. According to the Rwandan National Police, some of the pharmaceuticals were expired, a detail that has been stressed in the local press. Bizimungu confirmed that Karenzi is being held in the Mulindi Military detention center but did not offer additional details or insight as the case is currently under investigation.

¶17. (U) On a separate but related note, when Karenzi was relieved of his position as Secretary General on 14 July, he was replaced with Caroline Kayanga, the wife of LTG Charles Kayonga, the RDF Land Forces Chief of Staff.

¶18. (SBU) Comment. Despite the natural inclination to question the true motives behind these three high profile trials, it may be that the cases have been brought forward solely because of their merit. Former insider Karegeya has a reputation for being very smart, but also very opinionated and independent. It is unfortunate for him, but it is neither unrealistic nor surprising to believe that he acted the way the prosecution argued he did.

¶19. (SBU) The real question in Munyakazi's case is not the extent that he was involved in the genocide, but why it took so long for the charges to be made. As a Division Commanding General, he clearly served in the RDF as a competent and loyal officer, so why did it take so long for his history to catch up to him? Bizimungu's explanation was that "gacaca has opened the public's attitude" and the process has matured to the point that the population is now willing to come forward to stand as witnesses. He also noted the testimony of former soldiers and Interahamwe in prison gacaca hearings that has implicated Munyakazi.

¶10. (SBU) It is premature to analyze the case of Karenzi as it is currently being investigated. As always, there are rumors as to the "real reason" for the charges. However, if the accusations are proved, this would be an encouraging action by the GOR to continue to pursue high-level officials guilty of corruption. End comment.

THURSTON